

CONGRESSIONAL RECORD SUMMARY

Tuesday, October 15, 2002

SENATE

Measures Reported:

S. 2936, to amend chapter 84 of title 5, United States Code, to provide that certain Federal annuity computations are adjusted by 1 percent relating to periods of receiving disability payments, with an amendment in the nature of a substitute.

S. 3044, to authorize the Court Services and Offender Supervision Agency of the District of Columbia to provide for the interstate supervision of offenders on parole, probation, and supervised release.

Pages S 10442, D 1086

Executive Communications:

EC-9361. A communication from Assistant Attorney General Office of Legislative Affairs, Department of Justice, transmitting, a draft of proposed legislation entitled "*Child Abduction and Sexual Abuse Prevention Act of 2002*;" to the Committee on the Judiciary.

Page S 10441

H.R. 3295 - Election Reform Conference Report:

Senate began consideration of the conference report on H.R. 3295, to require States and localities to meet uniform and nondiscriminatory election technology and administration requirements applicable to Federal elections, to establish grant programs to provide assistance to States and localities to meet those requirements and to improve election technology and the administration of Federal elections, to establish the Election Administration Commission.

Pages S 10412-23, D 1086

A unanimous-consent agreement was reached amending the order of October 11, 2002, with respect to the conference report; that the Senate will continue consideration of the conference report at 11:40 a.m., on Wednesday, October 16, 2002.

Pages S 10424, S 10481, D 1086

By unanimous consent, Senate recessed from its amendment to the title.

Pages S 10472, D 1086

A unanimous-consent agreement was reached providing that at 12 noon, on Wednesday, October 16, 2002, Senate will vote on the adoption of the conference report.

Page D 1086

S. Res. 304 - Reporting of Appropriation Bills--Agreement:

By unanimous consent, Senate vitiated the pending cloture vote on the motion to proceed to consideration of S. Res. 304, encouraging the Senate Committee on Appropriations to report therein, fiscally responsible, bipartisan appropriations bills to the Senate not later than July 31, 2002, which was scheduled to occur at 12 noon, on Wednesday, October 16, 2002; that the Senate proceed to the consideration of the resolution upon the disposition of the conference report to accompany H.R. 5010, Department of Defense Appropriations Act.

Pages S 10424, D 1086

Committee Meetings for Wednesday, October 16, 2002:

Committee on Appropriations: @ 10:00 a.m. Subcommittee on Treasury and General Government, to hold hearings to examine the appropriateness of U.S. companies moving their headquarters to offshore tax havens. SD-192.

Page D 1088

Select Committee on Intelligence: @ 12:00 p.m. Closed business meeting to consider the nomination of Scott W. Muller, of Maryland, to be General Counsel of the Central Intelligence Agency. S-216, Capitol.

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Remarks:

Amending the FISA Law.

*"... What the Schumer-Kyl bill does is to correct this one little deficiency in the statute to bring it up to date, literally from the time it was created back in the cold war days, to today's environment in which you have amorphous terrorist groups floating around with individuals freely associating amongst them, or perhaps even not at all with them but engaged in terror. **What it does is to correct this problem with the statute by adding just three words--'or foreign person'--to the targets of the warrant.** So an individual would be the subject of a warrant if you could show you had probable cause to believe the individual was engaged in or planning to engage in an act of terrorism and either was doing so on behalf of another country, an international terrorist organization, or the person himself is a foreign person [] We have not been able to get the bill as a freestanding bill to the floor for consideration by the Senate. **There is an opportunity for us to attach it as an amendment. As I said, the best opportunity is the authorization bill of the intelligence community...**"*

Kyl

Pages S 10425-32

Tribute to Sheila Joy.

"...Beginning as a Staff Assistant, she successfully worked through the ranks and is presently a program manager responsible for reviewing judicial appointments in the Office of Policy Development. She has made great strides to ensure United States judges are fairly appointed to the bench, and I am honored to have had the opportunity to work so closely with here..."

Thurmond

Page S 10432

The National Integrated Ballistics Information Network.

Levin

Pages S 10438-39

In Honor of the Service of the Honorable M.D. Crocker, U.S. District Court Judge.

Boxer

Page S 10440

HOUSE

Reports Filed:

Reports were filed today as follows:

H.R. 4967, to establish new nonimmigrant classes for border commuter students (House Report 107-753);

H.R. 2155, to amend title 18, United States Code, to make it illegal to operate a motor vehicle with a drug or alcohol in the body of the driver at a land border port of entry, amended (House Report 107-754);

H. Res. 585, providing for consideration of H.J. Res. 123, making further continuing appropriations for the fiscal year 2003 (House Report 107-755); and

H. Res. 586, waiving a requirement of clause 6(a) of rule XIII with respect to consideration of certain resolutions reported from the Committee on Rules (House Report 107-756).

Page D 1087, See next issue

Suspensions:

The House agreed to suspend the rules and pass the following measures:

Border Commuter Student Act: H.R. 4967, to establish new nonimmigrant classes for border commuter students;

Pages H 7908-10, D 1087-8

Our Lady of Peace Act: H.R. 4757, amended, to improve the national instant criminal background check system; and

Pages H 7910-17, D 1088

"... H.R. 4757, the Our Lady of Peace Act, would amend the Brady Handgun Violence Prevention Act to require the Attorney General to secure directly from any U.S. department or agency information on persons who are prohibited by federal or state law from having a firearm, such as a convicted felon criminal or mental incompetent. In effect, to make the record collection system work more efficiently than it currently does. The measure provides more money to the States to make their information available to the federal government, making the partnership of the two governmental systems a better working arrangement. Specifically, H.R. 4757 requires the Attorney General to make grants to each State..." (Gekas, page H 7917)

Armed Forces Domestic Security Act: H.R. 5590, to amend title 10, United States Code, to provide for the enforcement and effectiveness of civilian orders of protection on military installations.

Pages H 7917-20, D 1088

"... While the 1994 Violence Against Women Act requires certain protection orders to be enforced across State and tribal lines, it does not allow such protection orders to be enforced on Federal property or military installations. As a result, there is a gaping hole in our protection system. Military installations have become a place where there are no penalties for violating a protection order issued by a State or tribal court. The Armed Forces Domestic Security Act is intended to address this obvious oversight..." (Tauscher, page H 7918)

Suspension—H.R. 2155. Proceedings Postponed on Sober Borders Act:

The House completed debate on the motion to suspend the rules and pass H.R. 2155, amended, to amend title 18, United States Code, to make it illegal to operate a motor vehicle with a drug or alcohol in the body of the driver at a land border port of entry. Further proceedings were postponed until Oct. 16.

Pages H 7902-8, D 1088

"... The major problem with this proposal is a matter of policy and procedure. At the time when their workload is heavy and the lines and waits for border traffic are already causing huge burdens to border economies, this legislation will impose new duties unrelated to terrorism on immigration inspectors at the border. Essentially, H.R. 2155 is enlisting INS officers to enforce State law. Furthermore, 18 U.S.C. section 13, the Assimilative Crimes Act, currently incorporates State criminal law into Federal law for issues for which there is no applicable Federal criminal law in places in Federal jurisdiction such as military bases and, no doubt, ports of entry. So a criminal offense such as a DUI under State law is already also a Federal criminal offense in a Federal area, areas not in State jurisdiction. This law would extend that by incorporating noncriminal sanctions, examples, suspension of license or failure to agree to a drug test, into Federal law. It also seems a questionable use of the admittedly broad authority the INS has at the border to conduct searches to expand this to blood, breath, or urine testing..." (Jackson-Lee, page H 7903)

Committee Meetings:

Committee on Rules: *Committee granted, by voice vote, a closed rule providing 1 hour of debate in the House on H.J. Res. 123, making further continuing appropriations for fiscal year 2003, equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations. The rule waives all points of order against consideration of the joint resolution. The rule provides one motion to recommit. Finally, the rule provides that House Resolutions 550, 551, and 577 are laid on the table.*

Committee on Rules: *Committee granted, by voice vote, a resolution waiving clause 6(a) of rule XIII (requiring a two-thirds vote to consider a rule on the same day it is reported from the Rules Committee) against certain resolutions reported from the Rules Committee. The resolution applies the waiver to any special rule reported on the legislative day of Wednesday, October 16, 2002, providing for the consideration or disposition of a joint resolution making further continuing appropriations for the fiscal year 2003.*

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Committee Meeting For Wednesday, October 16, 2002:

Committee on the Judiciary, @ 2:00 p.m. Subcommittee on Immigration, Border Security, and Claims, oversight hearing on “*The United States and Canada Safe Third Country Agreement.*” 2237 Rayburn.

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Remarks:

Inability Of Congress To Conduct Its Regular Business.

Sandlin

Page E 1868

NEW PUBLIC LAW

H.J. Res. 122, making further continuing appropriations for the fiscal year 2003. (Public Law 107-240)

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Next SENATE MEETING: Wednesday, 10:40 a.m., October 16, 2002.

Next HOUSE MEETING: Wednesday, 12:00 p.m., October 16, 2002.

OLA: S. Schwarz, A. Santos